

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

|                   |   |                  |
|-------------------|---|------------------|
| GENE COGGINS,     | ) |                  |
|                   | ) |                  |
| Plaintiff,        | ) |                  |
|                   | ) |                  |
| v.                | ) | CIVIL ACTION NO. |
|                   | ) | 3:08cv569-MHT    |
|                   | ) | (WO)             |
| STATE OF ALABAMA, | ) |                  |
|                   | ) |                  |
| Defendant.        | ) |                  |

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court:

(1) That the motion to proceed in forma pauperis (Doc. No. 2) is granted to the extent that plaintiff Gene Coggins's complaint shall be filed without the prepayment of fees; and

(2) That plaintiff Coggins's complaint is dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)-(iii).

It is further ORDERED that the motion for an appendix (Doc. No. 3) is denied as moot.

It is further ORDERED that costs are taxed against plaintiff Coggins, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 21st day of July, 2008.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE